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dba Tulare Regional Medical Center

IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

In re

TULARE LOCAL HEALTHCARE  
DISTRICT, dba TULARE  
REGIONAL MEDICAL CENTER,

Debtor.

Tax ID #: 94-6002897  
Address: 869 N. Cherry St.  
Tulare, CA 93274

CASE NO. 17-13797

Chapter 9

DC No.: WW-35

Date: May 17, 2018  
Time: 9:30 a.m.  
Place: 2500 Tulare Street  
Fresno, CA 93721  
Courtroom 13  
Judge: Honorable René Lastreto II

**MOTION FOR ORDER APPROVING AGREEMENT RELATING TO RELIEF FROM  
THE AUTOMATIC STAY (MEC)**

TO THE HONORABLE JUDGE OF THE UNITED STATES BANKRUPTCY COURT:

TULARE LOCAL HEALTHCARE DISTRICT, dba TULARE REGIONAL  
MEDICAL CENTER ("TRMC" and/or "Debtor") hereby files this Motion for Order  
Approving Agreement Relating to Relief From Stay ("Motion") which seeks an order  
pursuant to 11 U.S.C. §§ 901 and 362 as complimented by FRPB 4001(d) approving

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1 the Stipulation for Relief From the Automatic Stay ("Stipulation") entered into between  
2 TRMC and Tulare Regional Medical Center Medical Staff ("Plaintiff Medical Staff").

3 This Motion is based on the Motion and Exhibits thereto, the Notice of Hearing on  
4 the Motion, the Declaration of Danielle J. Bethel in Support of the Motion, the files,  
5 pleadings and orders on file in this Chapter 9 case, and such other and further evidence  
6 as made properly before the Court.

7 TRMC respectfully requests that this Court enter an order pursuant to 11 U.S.C.  
8 §§ 901 and 362 as complimented by FRPB 4001(d) approving the Stipulation as  
9 follows:  
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11 1. TRMC is the Debtor in the above-captioned Chapter 9 case, which was filed  
12 on September 30, 2017 ("Petition Date").

13 2. Prior to the Petition Date, Plaintiff Medical Staff initiated a lawsuit against  
14 TRMC, Professional Medical Staff of Tulare Regional Medical Center ("Replacement  
15 Medical Staff"), and Healthcare Conglomerate Associates, LLC ("HCCA") for violation of  
16 the Ralph M. Brown Act; violation of the Medical Practices Act; certain Health and  
17 Safety Code violations, and declaratory relief ("Plaintiff Medical Staff's Claims"), in the  
18 matter styled *Tulare Regional Medical Center Medical Staff v. Tulare Local Healthcare*  
19 *District, dba Tulare Regional Medical Center, Healthcare Conglomerate Associates,*  
20 *LLC, Professional Staff of Tulare Regional Medical Center, and Does 1 through 100,*  
21 *inclusive, Tulare County Superior Court case no. VCU 264227* (the "Lawsuit").  
22

23 3. After negotiation, TRMC, Plaintiff Medical Staff, Replacement Medical Staff,  
24 and HCCA (collectively, the "Parties") are very close to reaching an agreement on a  
25 final stipulated judgment, to be entered by the Tulare County Superior Court, which  
26 would resolve all of the claims encompassed by the Lawsuit.  
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1 4. Relief from the automatic stay is required in order for the Parties to finalize  
2 negotiations and conclude the Lawsuit.

3 5. Accordingly, TRMC and Plaintiff Medical Staff have stipulated to terms and  
4 conditions concerning the relief required to lift the stay to allow the Lawsuit to continue  
5 for the sole purpose of entering a final judgment and order for equitable and other relief  
6 ("Stipulation"). True and correct copies of the Stipulation and proposed form of order  
7 are attached hereto as Exhibits A and B, respectively, as required under FRPB  
8 4001(d)(1)(A).  
9

10 6. TRMC hereby seeks Court approval of the Stipulation.

11 WHEREFORE, the Debtor respectfully requests this Court enter an order  
12 approving the Stipulation and for such other relief as is just and proper.  
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14 Dated: May 3, 2018

WALTER WILHELM LAW GROUP,  
a Professional Corporation

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16 By: 

Riley C. Walter,  
Attorneys for Debtor, Tulare Local  
Healthcare District, dba Tulare Regional  
Medical Center  
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